



City of Loma Linda Official Report

Floyd Petersen, Mayor
Stan Brauer, Mayor pro tempore
Robert Christman, Councilmember
Robert Ziprick, Councilmember
Charles Umeda, Councilmember

COUNCIL AGENDA: April 18, 2006

TO: City Council

VIA: Dennis R. Halloway, City Manager 

FROM:  Deborah Woldruff, AICP, Community Development Director

SUBJECT: Extension of Time Request for Parcel Map No.15944 and Conditional Use Permit No. 02-04 – A Project to Construct A Drug Store With A Drive-Thru Window And A Smaller Retail Building At The Northwest Corner Of Redlands Boulevard And Mountain View Avenue

RECOMMENDATION

The recommendation is that the City Council take the following action:

1. Approve the request for the second of three, one-year extensions of time for Parcel Map No. 02-02 and Conditional Use Permit No. 02-04.

BACKGROUND

The applicant, Lake Development Group submitted a request for a second, one-year extension of time to construct a 15,081 square foot drugstore retail building and a 5,400 square foot retail building on a 2.63 acre site located on the northwest corner of Redlands Boulevard and Mountain View Avenue. The Extension of Time request was reviewed and approved by the Planning Commission at their meeting on March 1, 2006 (Attachment A, Planning Commission Staff Report and applicant letter of request).

ANALYSIS

General

Refer to Attachment B for previous staff reports that provide additional background information and analysis. The original conditions of approval from 2002 allow the applicant to request up to three, one year extensions of time (Attachment C). Planning Commission voted on March 1,

2006 to amend the original conditions of approval to add compliance with the Loma Linda Connected Communities Program (LLCCP- Condition No. 26).

There are no requests to change any portion of the map or the project. The only request is to extend time to secure an anchor tenant. The applicant states he is in negotiations with two retailers but no agreement is in place at the present time.

The project site includes a well site and a pocket park that would be purchased from the Redevelopment Agency (RDA). Property values have changed since the original approvals in 2002 and as such, the sale price of the land will need to be re-negotiated with the RDA.

Public Comments

A letter was received from Ms. P.T. Gutierrez regarding the proposed project. She owns property at 25682 Sun Avenue and is concerned about the future development of the project site (Attachment D). Her letter was received on March 1st and read into the record of the Planning Commission meeting.

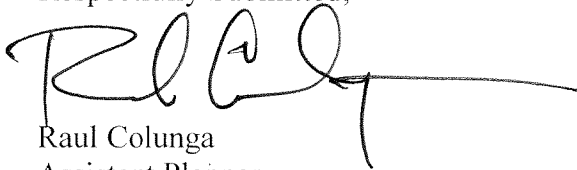
ENVIRONMENTAL

The City Council adopted a Negative Declaration as part of its approval of the appeal on November 12, 2002.

FINANCIAL IMPACT

The project will result in increased property tax and sales tax revenue to the City in addition to Development Impact fees, Plan Check fees, Building Permit fees, Grading Permit fees, and Fire Plan Check/Inspection fees.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Raul Colunga', with a long horizontal line extending to the right.

Raul Colunga
Assistant Planner

ATTACHMENTS

- A. March 1, 2006 Planning Commission Report and applicant letter of request
- B. October 2, 2002 Planning Commission Report and November 12, 2002 City Council Report
- C. Revised Conditions of Approval from November 12, 2002
- D. Letter dated March 1, 2006 from P.T. Gutierrez

Attachment A

**March 1, 2006 Planning Commission
Staff Report and applicant letter of request**

Staff Report

City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF MARCH 1, 2006

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF, AICP, DIRECTOR,
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: EXTENSION OF TIME NO. 06-01 FOR PARCEL MAP (PM) NO. 02-02
(PM NO. 15944) AND CONDITIONAL USE PERMIT (CUP) NO. 02-04

SUMMARY

The applicant, Lake Development Group Incorporated, is seeking the second of three, one year extensions of time for the above-referenced project (Attachment A). The Conditional Use Permit was required for the drive-through pharmacy window. The General Plan Amendment, Zone Change, and Development Code Amendment were approved by the City Council in 2002 and adopted by resolution and ordinances (respectively) and are not part of this request. A discretionary extension request not to exceed twelve months may be granted pursuant to Section 16.04.160 of the Loma Linda Municipal Code (LLMC). In addition, Condition No. 2 from the project Conditions of Approval allows for three time extensions not to exceed 12 months each. The project site is located at the northwest corner of Redlands Boulevard at Mountain View Avenue (Attachment B).

RECOMMENDATION

Staff recommends that the Planning Commission forward the request to the City Council with a recommendation of approval for a second, one year extension of time for Tentative Parcel Map (PM) No. 15944 and Conditional Use Permit No. 02-04 based on the findings and subject to the Conditions of Approval (Attachments C).

PERTINENT DATA

Applicant:	Lake Development Group
General Plan:	Neighborhood Specialized Community
Zoning:	East Valley Corridor Specific Plan/General Commercial (EV/CG)
Site:	The 2.63 acre subject property is located at the northwest corner of Redlands Boulevard and Mountain View Avenue.

Topography:	Relatively flat
Vegetation:	A few mature trees, landscaping at the City park site and single-family residential lot, and patchy scrub and native grasses on the vacant portions of the site.
Special Features:	Sun Park site, City water facilities

BACKGROUND AND EXISTING SETTING

Background

The project was denied by the Planning Commission at their meeting on October 2, 2002. However, approved on appeal by the City Council on November 12, 2002. The first one year extension of time was approved by Planning Commission at their meeting January 12, 2005.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

The City Council adopted a Negative Declaration as part of its approval of the appeal on November 12, 2002 (Attachment C).

ANALYSIS

Project Description

The 2.63-acre site occupies a prominent location at the northwest corner of Redlands Boulevard and Mountain View Avenue. The original tenant, Sav-On Drugstores decided not to move forward on the project. Last year, the applicant stated that they were trying to secure CVS Drugstores to occupy the entitled 15,081 square foot building. An ancillary 5,400 square foot structure adjacent to Mountain View Avenue is part of the request for the one-year extension of time. A copy of the project plans is included as Attachment C.

Public Comments

As of writing of this report, the City has not received any written or oral comments.

Suggested Modification

If the Planning Commission and the applicant agrees, staff would like to suggest an additional condition that the proposed development comply with the Loma Linda Connected Communities Program (LLCCP).

Findings

The findings for the Parcel Map and Conditional Use Permit are still valid from the original October 2, 2002 Planning Commission staff report along with the November 12, 2002 City Council Staff Report (Attachment C). The attachments from the November 12, 2002 City Council report are provided as part of Attachment C.

CONCLUSION

The proposed extension of time for Parcel Map No. 15944 and Conditional Use Permit No. 02-04 conforms to the City of Loma Linda Zoning Code and Subdivision Regulations and is consistent with the Neighborhood Specialized Community General Plan Land Use Designation established for commercial development. The additional time will allow the developer to make the project a reality and afford the City of Loma Linda a new source of sales tax generation and a retail destination for residents to spend their incomes inside the community.

Respectfully Submitted,



Raul Colunga
Assistant Planner

ATTACHMENTS

- A. Applicant letter of request
- B. Site Location Map
- C. November 12, 2002 Planning City Council Staff Report
w/Attachments Provided

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CITY OF LOMA LINDA
PLANNING COMMISSION

APPROVED DENIED
CONTINUED
TO: h

AT THE MEETING OF:

March 1, 2006
BY: Jocelyne Lora
PLANNING COMMISSION SECRETARY



Lake Development Group, Inc.

January 9th, 2005

Mr. Raul Colunga
Assistant Planner
City of Loma Linda
25541 Barton Road
Loma Linda, CA 92354

RE Extension of Time CUP No. 02-04 and Parcel Map No. 15944

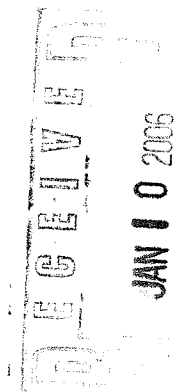
Dear Mr. Colunga:

As pointed out in your letter dated December 19th 2005 we secured a one year extension of time on January 12th, 2005 for Conditional Use Permit CUP No. 02-04 and Parcel Map No. 15944 to establish a 15,000 square foot drug store building and ancillary retail building at the northwest corner of Redlands Blvd and Mountain View.

I have enclosed the application fee of \$2,215.00 to process a second one year extension.

Sincerely,

Larry Lake



Attachment B

**October 2, 2002 Planning Commission
Report and November 12, 2002 City Council Report**

Staff Report

City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF OCTOBER 2, 2002

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF, AICP, DIRECTOR,
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT (GP) NO. 02-04, ZONE CHANGE (ZC) NO. 02-04, DEVELOPMENT CODE AMENDMENT (DC) NO. 02-01, CONDITIONAL USE PERMIT (CUP) NO. 02-04, PARCEL MAP (PM) NO. 02-02 (PM NO. 15944) – A REQUEST TO CONSTRUCT A SA-VON DRUG STORE WITH A DRIVE-THROUGH LANE AND A SMALLER RETAIL BUILDING AT THE NORTHWEST CORNER OF REDLANDS BOULEVARD AND MOUNTAIN VIEW AVENUE.

SUMMARY:

The project proposes to construct a 15,081 square foot Sav-on retail building with a drive-through window and a 5,400 square foot retail building on a 2.63-acre site. The Sav-on will include a drive-through pharmacy window and as such, an approved Conditional Use Permit is required. The project includes a request to amend the East Valley Corridor Specific Plan (EVCSP), Commercial General (EV/CG) to allow the sale of alcohol for off site consumption in buildings having a minimum floor area of 15,000 square feet. A small area located at the north end of the site is designated as Residential Medium Density (5 to 10 dwelling units per acre) on the General Plan map and zoned Single Family Residential (as per EVCSP) on the Official Zoning Map. For this reason, the project includes a request to amend both the General Plan and Official Zoning Maps. The parcel map is required to merge the eight (8) lots that make up the project site into two (2) parcels. The subject property is located on the northwest corner of Redlands Boulevard and Mountain View in the City of Loma Linda, County of San Bernardino.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend the following actions to the City Council:

1. Adopt the Negative Declaration (Attachment A);
2. Approve and adopt General Plan Amendment No. 02-04, Zone Change No. 02-04, and Development Code Amendment No. 02-01 based on the Findings; and,
3. Approve Conditional Use Permit No. 02-04 and Tentative Parcel Map No. 15944 based on the Findings, and subject to the attached Conditions of Approval (Attachment B).

PERTINENT DATA:

Applicant:	Larry Lake, Lake Development Group
General Plan:	Neighborhood Specialized Community, & Medium Density Residential (5 to 10 DU/acre)
Zoning:	East Valley Corridor Specific Plan, Commercial General (EV/CG), & Single Family Residential (EV/RS)
Site:	The 2.63 acre subject property is located at the northwest corner of Redlands Boulevard and Mountain View
Topography:	Relatively flat
Vegetation:	A few mature trees, landscaping on the interim park site and single-family residential lot, and patchy scrub and native grasses on the vacant portions of the site
Special Feature:	Interim park site, City water facilities, and interim park site

BACKGROUND AND EXISTING SETTING:

BACKGROUND

In the spring of 2002, the applicant was working with the Loma Linda Redevelopment Agency on his project and requested a preliminary review of his conceptual plans. On February 26, 2002, the Administrative Review Committee (ARC) conducted a preliminary review and provided comments to the applicant.

The project was formally submitted to the City on June 24, 2002 and reviewed by ARC at several meetings through the middle of September 2002. In September, an environmental review was conducted pursuant to the California Environmental Quality Act. On September 17, 2002, the ARC forwarded the project to the Planning Commission.

EXISTING SETTING

A detailed discussion of the existing setting for the project is contained in Section E of the Initial Study.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

On September 12, 2002, staff prepared and issued a Notice of Intent (NOI) to Adopt a Negative Declaration and Initial Study. The mandatory CEQA public review began on

September 12, 2002 and ends on October 2, 2002. However, staff has revised the environmental documents to address the proposed demolition of the single-family residence located at 25669 Sun Avenue. Until recently, staff was not aware that the residential property was part of the project. The specific sections of the Initial Study that have been revised include the responses to Aesthetics, Air Quality, and Hazards and Hazardous Materials. Staff does not anticipate any significant impacts from the proposed demolition, but felt that this element of the project should be included in the environmental analysis.

Due to the revisions to the environmental documents and to ensure procedural compliance with CEQA, a revised NOI will be released for a 20-day public review period as part of the legal noticing process for the public hearing before the City Council. A copy of the revised Initial Study is included in Attachment A of this staff report.

It should be noted that no comments on the environmental documents were received during the previous 20-day public review period.

ANALYSIS:

PROJECT DESCRIPTION AND SITE DESIGN

The project is a proposal to construct a 15,081 square foot, 24-hour Sav-on retail building and a 5,400 square foot retail building on a 2.63-acre site. The Sav-on will include a drive-through pharmacy window and as such, an approved Conditional Use Permit is required. The project includes a request to amend the East Valley Corridor Specific Plan (EVCSP) to allow the sale of alcohol (wine, beer, and spirits) for off site consumption in the buildings having a minimum floor area of 15,000 square feet in the EV/CG zone. Currently, the EV/CG requires that the sale of package liquor be limited to buildings having a minimum floor area of 30,000 square feet.

An existing single-family residence located at 25669 Sun Avenue and constructed in the mid to late 1960s is proposed for demolition. The 7,200 square foot lot that the residence occupies and two other properties that constitute the Sun Avenue frontage are designated as Residential Medium Density (5 to 10 dwelling units per acre) on the General Plan map and zoned Single Family Residential (as per EVCSP) on the Official Zoning Map. For this reason, the project includes a request to amend both the General Plan and Official Zoning Maps. The parcel map is required to merge the eight (8) lots that make up the project site into two (2) parcels.

The project applicant has indicated that the smaller retail building will be divided into several lease spaces for commercial retail, services, or restaurant uses. The number and size of the tenant spaces will depend on the tenants who will be the end users.

Access to the site is provided from Redlands Boulevard via two driveways (one is right-in/right-out, only), Mountain View Avenue via one driveway (right-in/right-out, only) and Sun Avenue via one driveway. The parking requirement for the site is 108 standard

parking spaces, which includes four standard handicap accessible spaces and one van accessible handicap space. The parking provided includes 111 standard spaces, which includes the required number and type of handicap accessible spaces. The two buildings are placed one each along the two major street frontages with the majority of the parking located in the middle, between the structures. This configuration is required by Sav-on to ensure that their patrons always have adequate parking.

The legal path-of-travel for pedestrians is provided from Redlands Boulevard, Mountain View Avenue, and Sun Avenue. The pathways are linked throughout the site so that pedestrians can travel from the Sav-on to the other building and vice-versa.

The landscaping on site includes the setback and adjacent areas along Redlands Boulevard and Mountain View Avenue, planters in the parking area, and landscape statement at the corner of Redlands Boulevard and Mountain View Avenue. A patio feature is provided at the north end of the retail building and behind the landscape area along Sun Avenue. The City's Code requires 8.0% of the net site in landscaping and the project site plan provides a total of 15.6%. A conceptual landscape plan is included in Attachment D.

The refuse enclosures for the two buildings are located behind the buildings and away from both major streets. Both refuse enclosures are situated to provide easy access from the buildings and for the refuse trucks.

The project plans include conceptual sign package for the Sav-on building. The Conditions of Approval require the submittal of a Master Sign Plan for the site to ensure that the signage styles and types for both buildings are compatible.

Staff and the applicant have worked to provide a site layout and design that will enhance the frontages for the two major streets and provide necessary services for the north Loma Linda area.

A copy of the project plans is contained in Attachment C of this Staff Report.

GENERAL PLAN AND OFFICIAL ZONING MAP AMENDMENTS

The project includes a request to amend the General Plan Map from Medium Density Residential (5 to 10 DU/acre) to Neighborhood Specialized Community, and the Official Zoning Map from Single Family Residential (EV/RS) to Commercial General (EV/CG) on the north portion of the site that fronts on Sun Avenue. The residential parcel located at 25669 Sun Avenue is part of the 0.495-acre amendment area.

The change of land use designation and zoning is not anticipated to result in any land use impacts to the surrounding area. The existing residences on the south side of Sun Avenue will be buffered by a six foot, decorative perimeter block wall and landscaping. Those residences on the north side of Sun Avenue are separated from the site by the

width of the roadway. The environmental document indicates that trip generation for the project is fairly low and will not exceed the capacity of the adjacent street system.

DEVELOPMENT CODE AMENDMENT

As stated, the project includes a proposal to amend the EV/CG to allow off-site sale of alcohol (wine, beer, and spirits) in buildings having a minimum floor area of 15,000 square feet. Currently, the EVCSP does permit the off-site sale of alcohol in the EV/CG for retailers having a minimum floor area of 30,000 square feet with a maximum of 10 percent of the gross floor area devoted to the sales of package liquor. Using the same parameters, the 15,081 square foot Sav-on building would be allowed an alcohol sales display area of up to 1,500 square feet. The Code amendment would be limited to the EV/CG along the Redlands Boulevard corridor. Staff does not anticipate that proposed amendment would result in any significant impacts because the sale of alcohol would be ancillary to primary pharmacy and retail uses.

GENERAL PLAN CONSISTENCY AND DEVELOPMENT CODE COMPLIANCE

The proposed project is consistent with the intent of the General Plan to provide adequate goods and services to the City's residents. The project is also consistent with Policy No. 9, which mandates that the City encourage commercial and industrial uses in an effort to maintain and expand a sound tax base that will support the cost of local government. Staff is working with the applicant to ensure that the project will be consistent with the new General Plan upon its adoption by the City Council. The project has been designed to comply with the EV/CG development regulations and should easily comply with any future zoning or design guidelines for the area.

PUBLIC COMMENTS

In response to the routing for this project, the City received comments from outside agencies, as follows:

San Bernardino County Transportation Department (June 28, 2002) – The City's Agency Comment Sheet was returned with a request for submittal of a traffic impact study. The City's Public Works Department evaluated the trips generated by the project and the capacity of the adjacent street system and determined that a traffic impact analysis was not warranted. (A discussion of the traffic impacts is included in Section F. of the Initial Study.)

San Bernardino County Fire Department Environmental Health Services (July 5, 2002) – The City's Agency Comment Sheet was returned with a comment requiring that any food facility established on the site shall submit plans for a Food Facility Permit. Staff has added this requirement as a Community Development Department Condition of Approval.

City of San Bernardino Municipal Water Department (July 8, 2002) – The City's Agency Comment Sheet was returned with a comment requiring the applicant to submit permits to that Agency for wastewater and environmental control.

San Bernardino County Department of Public Works (July 9, 2002) – The letter stated that the site is in the A-99 flood designation for the San Timoteo Channel but raised concerns about the proximity of the project to the Mission Channel. Their concern is that once the improvements to the San Timoteo Channel are completed and the A-99 designation is removed, the site may still be in a flood zone relative to the Mission Channel. A copy of the letter was forwarded to the Public Works Department for their review. The issues related to the Mission Channel will be addressed in a drainage and hydrology study to be submitted as part of the plan check process (refer to Public Works Department Condition of Approval No. 2).

Comments received from other City departments have been addressed through revisions to the project design and Conditions of Approval. Copies of all public comments are maintained in the file for CUP No. 02-04.

Community Meeting with Area Residents (September 25, 2002) – Staff and the applicant were invited to a community meeting at a residence on Sun Avenue to introduce the project to the neighbors and to address their questions and concerns. There were some questions related to the proposed Zone Change for the residential property on Sun Avenue. Mr. Larry Lake addressed their comments and showed them the site plan and how the adjacent residential properties would be buffered. Several of the residents were concerned about the existing traffic congestion in the area and had questions about how much traffic would be generated by this project. Staff responded that the environmental document for the project indicates that the trips generated by the project are fairly low and would not adversely impact the adjacent street system. Impacts related to access to and from the site would be mitigated by the project design. Other questions related to the City's planning and environmental process for development projects and the General Plan Update Project.

FINDINGS

General Plan Amendment Findings

An amendment to the General Plan may be adopted only if all of the following findings are made:

1. *The proposed amendment is internally consistent with the General Plan;*

Changing the land use designation from residential to commercial along the property's Sun Avenue frontage is consistent with the existing General Plan. Policy No. 9 requires that the City encourage commercial and industrial uses in an effort to maintain and expand a sound tax base that will support the cost of local government. Redlands Boulevard largely is an untapped resource that should be further developed for the

economic health of the City. The provision of additional commercial retail and service uses at the north end of the City would also improve the quality of life for nearby residents. At this time, it appears that the project would also be consistent with the new, draft General Plan, Preferred Alternative Land Use Map because that document shows the existing residential neighborhood as being re-designated for commercial uses. The Preferred Land Use Alternative Map is the culmination of several community workshops, including two joint workshops of the City Council and Planning Commission.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;*

The proposed amendment and associated development project would not be detrimental to the public in that the existing residences located west of the site along the Sun Avenue frontage would be buffered by a six foot decorative perimeter wall. The residences located on the north side of Sun Avenue would be also be buffered by the width of the roadway in addition to the landscape setback areas. The commercial retail and services uses proposed for the amendment area and the remainder of the site will provide shopping convenience to north end residents and other businesses along the Redlands Boulevard and Mountain View Avenue corridors. The public interest and welfare will be served by the economic benefit of the project, and project design will ensure that the public health and safety are safeguarded.

3. *The proposed amendment would maintain the appropriate balance of land uses within the City; and,*

The balance of land uses in the City will not be adversely affected by the proposed amendment. As previously stated, the Preferred Land Use Alternative Map shows the residential neighborhood between Sun Avenue and the I-10 Freeway as being re-designated for commercial uses. The construction of the I-10 Freeway and the development of the surrounding commercial district have resulted in the isolation of this residential area. In general, properties located adjacent to a freeway are considered to prime commercial locations and it appears that the change of the land use designation on the amendment portion of the site is simply the first step in the inevitable process of recycling of the area.

4. *In the case of an amendment to the General Plan Land Use Map, the subject parcel(s) is physically suitable (including, but limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development.*

The amendment site has frontage on Mountain View and Sun Avenues and the development project proposes one access off of Sun Avenue. The surrounding area is largely developed with commercial office, retail, and service uses and the proposed development project will be compatible. The residential uses adjacent and north of the site will be buffered by a six-foot decorative block wall and the width of the roadway and

setback areas, respectively. All public utilities are available to the site and can be provided for future site occupants.

Zone Change Findings

Changes to the zoning ordinance and map are considered legislative acts and do not require findings. State law does require that the zoning be consistent with the General Plan. Although the rezoning does not require specific findings in the Loma Linda Municipal Code, staff recommends that the Commission consider the following findings before taking action on the proposed rezoning.

- 1. That the proposed rezoning is consistent with the General Plan.*

Changing the zoning from EV/RS to EV/CG along the property's Sun Avenue frontage is consistent with Policy No. 9 in the existing General Plan, which requires that the City encourage commercial and industrial uses in an effort to maintain and expand a sound tax base that will support the cost of local government. As previously stated, Redlands Boulevard largely is an important resource that should be further developed for the economic health of the City. The inclusion of the amendment area with the proposed development will ensure that there is adequate access and on-site circulation, as well as enhancements along all three frontages. The north end residents would benefit from the provision of additional commercial retail and service uses by providing a convenient retail shops and services.

- 2. That the site is physically suitable for the type and intensity of the proposed rezoning.*

As a necessary part of the development site, the amendment area is physically suitable for the proposed commercial zoning. The amendment area is adjacent to a major corridor that provides a gateway into the City of Loma Linda. The site is close to the I-10 Freeway and is more viable and valuable to the City as a commercial property.

- 3. That the proposed rezoning will not cause substantial environmental damage and will not be materially detrimental to the public welfare.*

The proposed rezoning and associated development project have been evaluated pursuant to the California Environmental Quality Act (CEQA) and determined to be eligible for a Negative Declaration. The Initial Study prepared for the project indicates that neither the rezoning nor the development of the site would result in any significant environmental impacts. The rezoning would not be materially detrimental to the public welfare in that the highest and best use of the amendment site would be a commercial development. The commercial retail and services uses proposed for the amendment area and the remainder of the site will provide shopping convenience to north end residents and other businesses along the Redlands Boulevard and Mountain View Avenue corridors. The public welfare will be served by the economic benefit of the project.

Development Code Amendment Findings

Similar to zone changes, changes to the Development Code are considered legislative acts and do not require findings. State law does require that the Development Code be consistent with the General Plan. Although a text amendment does not require specific findings in the Loma Linda Municipal Code, staff recommends that the Commission consider the following findings before taking action on the proposed Development Code Amendment to the East Valley Corridor Specific Plan:

1. *The proposed amendment is consistent with the General Plan; and,*

The proposed text amendment to the EV/CG to allow off-site sale of alcohol (wine, beer, and spirits) in buildings having a minimum floor area of 15,000 square feet is consistent with the General Plan. Policy No. 9 mandates that the City encourage commercial and industrial uses in an effort to maintain and expand a sound tax base that will support the cost of local government. The provision of ancillary alcohol sales in smaller buildings along Redlands Boulevard will provide the public the convenience of having many different types of products and services in one store and/or on one site.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.*

The provision of ancillary alcohol sales in retail buildings having a minimum floor area of 15,000 square feet would not be detrimental to the public for a number of reasons. As stated in the previous finding, the amendment would provide the public with the convenience of having many different product types and services in one retail store. The atmosphere of most Sav-on stores is such that the availability of package liquor generally does not attract an unsavory or criminal element. Moreover, Sav-on Drug Stores have very strict policies on the sale of alcohol in their stores. Employees are required to go through a vigorous training program before they can sell package alcoholic beverages to the public. A copy of the policies is contained in Attachment D.

Conditional Use Permit Findings

The following findings must be addressed while considering a conditional use permit. Per Code Section 17.30.210, "The Planning Commission, in approving a conditional use permit, shall find as follows:"

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this title;*

Drug stores and pharmacies are permitted in the EV/CG zone pursuant to Section EV3.0710(b)(1). Drive-through pharmacies are not specifically addressed in the EVCSP; however, the City of Loma Linda Municipal Code (LLMC) does require an approved CUP for drive-through businesses in commercial zones [refer to LLMC

Section 17.30.140(B)(6)]. For this reason, staff has made the determination that a CUP is required for the proposed drive-through pharmacy window. The commercial retail and service uses do not require a CUP but do require site layout and design approval for new construction.

2. *That the said use is necessary or desirable for the development of the community, is in harmony with the various elements and objectives of the general plan, and is not detrimental to existing uses specifically permitted in the zone in which the proposed use is to be located;*

The proposed use would be desirable and compatible for the area because the City's north end does not offer many commercial conveniences such as a drug store or restaurants. The existing uses in the area would not be impacted in a negative manner because the area is largely developed with commercial office, retail, and service uses. The existing residential uses located west of the site along the Sun Avenue frontage would be buffered by a six-foot, decorative, perimeter wall and landscaping. The residences located on the north side of Sun Avenue would be buffered by the width of the roadway and required landscape setback area.

3. *That the site for the intended use is adequate in size and shape to accommodate said use and all of the yards, setbacks, walls, or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses on land in the neighborhood;*

The site is adequate in size and shape to accommodate said use and meets all code requirements as listed in the EVCSP, EV/CG.

4. *That the site or the proposed use related to streets and highways property designed and improved to carry the type and quantity of traffic generated or to be generated by the proposed use;*

The proposed use has access from Redlands Boulevard, Mountain View Avenue, and Sun Avenue and can accommodate the type and quantity of traffic generated by this use.

5. *That the conditions set forth in the permit and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare.*

The public health, safety and general welfare would be protected with the implementation of the project plans and Conditions of Approval for this Conditional Use Permit to insure compatibility with the surrounding neighborhood.

Tentative Parcel Map Findings

1. *That the proposed map is consistent with the applicable general and specific plan.*

The proposed parcel map is consistent with the General Plan designation, Neighborhood Specialized Community and the EVCSP and EV/CG zoning as shown on the project plans (Attachment C).

2. *The design or improvement of the proposed subdivision is consistent with the applicable general and specific plan.*

The project was designed in accordance with the Loma Linda General Plan and EVCSP for the EV/CG zone. Most of the site is currently vacant, and development of this site with appropriate commercial uses and well-designed buildings will enhance the surrounding commercial district and entrance into the City from the I-10 Freeway.

3. *The site is physically suitable for the type of development proposed.*

The project site is located along two major commercial corridors and a minor street. Access to the site is provided via driveways from all three roadways. The EVCSP states that where practical, exits shall be located on a minor street. The site design indicates that the size of the site can accommodate the proposed development. The project will develop a largely vacant property with commercial retail and services uses that will be compatible with the surrounding development pending adherence with the Conditions of Approval.

4. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat.*

As stated, all elements of this development proposal were evaluated for environmental impacts pursuant to CEQA. The Initial Study indicates that the project will not result in any significant environmental impacts. Additionally, there is no natural vegetation or wildlife present onsite. Based on surrounding development and the disturbed nature of the site, there is no biological habitat existing onsite or within the surrounding area. Therefore, development of the site will not result in any significant environmental damage, or substantially and unavoidably injure fish and wildlife or their habitat. There is no riparian or wetland habitat on-site. The area surrounding the site has been developed and has eliminated any wildlife corridors that may have existed in the past.

5. *The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the proposed subdivision to merge eight lots into two parcels and type of improvements are not anticipated to cause any serious public health problems. The design is consistent with the surrounding commercial district. The end use of the proposed project will not cause any health problems. The Negative Declaration does not identify any significant impacts that could cause serious public health problems.

6. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.*

All existing easements have been shown on the tentative Parcel Map (PM No. 15944) and the project has been designed to avoid conflict with any easements.

CONCLUSION:

All elements of project are consistent with the existing General Plan and appear to be consistent with the Draft Preferred Land Use Alternative prepared for the City's Comprehensive General Plan Update Project. The project is also in compliance with the EVCSP and EV/CG zone regulations. The proposed text amendment to the EVCSP, which requests that off-site sale of liquor be allowed in buildings having a minimum floor area of 15,000 square feet in the EV/CG would provide a public convenience by providing for the consolidation of a variety of product types and services. The proposed drive-through pharmacy window has been oriented away from Redlands Boulevard and should not impede on-site circulation. The site design and layout (and Parcel Map) provides more than adequate landscaping, parking, linked pedestrian pathways, attractive buildings, and a corner landscape statement that will enhance the property and the surrounding area.

The environmental review of the project indicates that no significant impacts should result from construction and operation of the project site, and as such, a Negative Declaration is in order.

ATTACHMENTS:

- A. Negative Declaration (NOI/Initial Study)
- B. Conditions of Approval
- C. Albertsons/Sav-on Policy Information on the Sale of Alcoholic Beverages (California)
- D. Project Plans (13 sheets and conceptual sign package)

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City of Loma Linda Official Report

Floyd Petersen, Mayor
Karen Gaio, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: November 12, 2002

TO: City Council

VIA: Dennis R. Halloway, City Manager

FROM: Deborah Woldruff, AICP,
Community Development Director

SUBJECT: General Plan Amendment (GP) No. 02-04, Zone Change (ZC) No. 02-04, Development Code Amendment (DC) No. 02-01, Conditional Use Permit (CUP) No. 02-04, Parcel Map (PM No. 15944) – A Request To Construct A Sa-Von Drug Store With A Drive-Through Lane And A Smaller Retail Building At The Northwest Corner Of Redlands Boulevard And Mountain View Avenue

RECOMMENDATION

The recommendation of the Planning Commission is that the City Council deny GP No. 02-04, ZC No. 02-04, DC No. 02-01, CUP No. 02-04, and PM No. 15944.

BACKGROUND

On October 2, 2002, the Planning Commission reviewed all elements of the project (referenced above) and forwarded it to the City Council with a recommendation for denial. The Planning Commission included some additional recommendations, which are outlined below in the Analysis Section of this Staff Report. A copy of the Planning Commission Staff Report and approved Minutes from the October 2, 2002 meeting are included as Attachment 1 and Attachment 2, respectively.

A detailed discussion of the background and existing setting of the project are contained in the Planning Commission Staff Report.

ANALYSIS

Summary of Request: The project proposes to construct a 15,081 square foot Sav-on retail building with a drive-through pharmacy window and a 5,400 square foot retail building on a 2.63-acre site. The drive-through pharmacy window requires an approved CUP. The project includes a request to amend the East Valley Corridor Specific Plan (EVCSP), Commercial General (EV/CG) to allow the sale of alcohol for off site consumption in buildings having a

minimum floor area of 15,000 square feet. A small area located at the north end of the site is designated as Residential Medium Density (5 to 10 dwelling units per acre) on the General Plan map and zoned Single Family Residential (as per EVCSP) on the Official Zoning Map. For this reason, the project includes a request to amend both the General Plan and Official Zoning Maps. The parcel map is required to merge the eight (8) lots that make up the project site into two (2) parcels. The subject property is located on the northwest corner of Redlands Boulevard and Mountain View in the City of Loma Linda, County of San Bernardino. A Site Vicinity Map is contained in Attachment 3.

Evaluation: Over the past two months, staff and the Planning Commission received written and oral comments from several residents who live in the Sun/Spade/Rosewood neighborhood, which is located north and adjacent to the project site. The residents' comments and concerns about the project other issues that affect the area are outlined, as follows:

- The project will increase the traffic, noise, and air pollution in the area;
- The traffic will be drawn into the residential neighborhood due to the proposed driveway approach on Sun Avenue;
- The increases in area traffic will correspondingly increase the accident potential at the intersection at Sun and Mountain View Avenues due to its poor alignment with the driveway approach for the Farmer Boys Restaurant; and,

Public Works and Community Development staff evaluated the potential traffic impacts of the project in the Initial Study. The traffic calculations indicate that the average daily trips generated by the project will not exceed 200 vehicles, an amount that is considered to be a negligible. However, based on the public testimony and written comments (see below), Public Works staff reevaluated the traffic issues and feel that their original determination remains valid. A memorandum on the traffic that addresses these issues is provided by the Public Works Department in Attachment 4.

- The proposed off-site sale of alcohol by Sav-on will negatively impact the residential neighborhood and surrounding area.

In general, the Planning Commission shares this concern with the area residents, although for somewhat different reasons. This issue is discussed in more detail below.

- School children will no longer be able to play in Sun Park or use the gazebo for shelter while waiting for the school bus because the park is being relocated to a permanent location at Cottonwood Road and Mountain View Avenue.

The relocation of the temporary park facility to a permanent location was approved by the City Council as part of the FY 2002/2003 Budget (and Capital Improvements Program), and previously approved by the Parks, Recreation, and Beautification Committee. The installation of the improvements for the permanent park site at the northwest corner of Cottonwood Road and Mountain View Avenue has been ongoing for several months. The new park site is also adjacent to a school bus stop that is heavily used.

- The Sav-on is proposed to operate 24-hours per day.

The applicant stated at the Planning Commission that the hours of operation for the proposed Sav-on could be limited with an 11:00 p.m. closing time.

- The General Plan Update Project may re-designate the Sun/Spade/Rosewood neighborhood for commercial uses.

Area residents also voiced their concerns regarding the potential of the General Plan Update Project to change the land use designation from Residential Medium Density (5 to 10 dwelling units per acre) to Commercial. During public workshops on the General Plan, which were held in July 2002, the consensus of the workshop participants was that the area is no longer viable to support residential uses due to its proximity to the I-10 Freeway and surrounding commercial office, retail, and service uses. As a result, the land use designation change from residential to commercial is shown on the draft General Plan Preferred Land Use Alternative Map for the Sun/Spade/Rosewood residential neighborhood. However, it should be noted that the Sav-on Project is a completely separate project that has no ties to the General Plan Update Project other than the need for consistency with the intent and policies of that document. In an effort to keep the Sun/Spade/Rosewood neighborhood residents informed of the process, staff will contact them via mail regarding upcoming workshops and hearings on the General Plan Update Project.

The comments and concerns of the Planning Commission are outlined, as follows:

- The project will result in traffic impacts on the existing residential neighborhood, and the circulation patterns in the area; and,
- The driveway approach on Sun Avenue should be eliminated or redesigned for right-out-only.

As previously stated, the issues related to traffic have been addressed in the Initial Study for the project and further evaluated by Public Works staff.

- The proposed text amendment to the East Valley Corridor Specific Plan, General Commercial district to reduce the minimum allowable building area for off-site sales from 30,000 square feet to 15,000 square feet could set a precedent and result in a proliferation of alcohol sales.

The project applicant feels that ancillary alcohol sales are a necessary part of the convenience shopping that Sav-on strives to provide their customers. The trend in chain pharmacy retailers is to provide a wide range of products types and brands in addition to prescription drugs. Many customers will visit a pharmacy store to pick up a prescription and at the same time, take the opportunity to purchase some over-the-counter remedies, bath and shower products, cosmetics, home office supplies, reading materials, pre-packaged food items, water, soda, and a bottle of wine. While the sale of alcohol is considered to be ancillary and only a minor element of the retail business, its availability is integral to the one-stop, convenience concept.

The Sav-on and Albertsons Stores adhere to very strict policies regarding the sale of alcohol and all of their employees receive initial and ongoing training (see Attachment 1, Attachment C). As a rule, the large pharmacies like the proposed Sav-on, are not frequented by same clientele as one would encounter in and around many liquor or convenience markets. In addition, alcohol sales are only a minor part of the overall retail business and as such, the variety of alcoholic products is limited. For the reasons stated, staff does not anticipate that the proposed text amendment to allow the off-site sale of alcohol in the Sav-on store would result in any negative impacts that would lead to the economic, social, or physical decline of the residential or commercial uses in the vicinity of the project site, or increased crime in the area. Approval of the proposed text amendment would only affect the Commercial General district of the East Valley Corridor Specific Plan as it occurs in segments along Redlands Boulevard.

- The project does not anchor the corner at Redlands Boulevard and Mountain View Avenue, which is a major entry into the City;
- The street-side elevations for the Sav-on building and smaller retail building are not pedestrian friendly in that there are no windows or entrances;
- The drive-through lane for the pharmacy window is located adjacent to the main entrance to the building and presents a potential hazard to pedestrians;
- The overall layout of the site is not pedestrian oriented or pedestrian friendly; and,
- The project does not meet the community's vision for Redlands Boulevard as identified in the Design Charette that was held on September 29, 2002.

The project was designed to maximize the visibility of both the Sav-on building and the retail building along the two commercial corridors. The applicant has stated that if the buildings were combined at the corner of the site, near the intersection of Redlands Boulevard and Mountain View Avenue, the visibility of both buildings would be impaired, depending upon the direction of view. Staff too had concerns about anchoring the corner and space between the buildings with parking; however, the applicant has included a significant amount of landscaping on the site in addition to a landscape design feature at the corner that can include some form of public art. It should also be noted that the project design has always included very adequate pedestrian access and circulation.

During the public hearing before the Planning Commission, the applicant agreed to make several changes and revisions to the project proposal and plans. He followed up with a letter outlining the changes and revisions, which is available in Attachment 5. The revised plans are contained in Attachment 6. Essentially, the applicant has addressed nearly all of the Planning Commission's concerns about the project in terms of enhancing the design of the buildings, particularly on the street-facing elevations. The outdoor dining/patio area for the retail building has been increased from the Sun Avenue side to wrap around the building onto the Mountain View Avenue side. However, neither the applicant nor Sav-on are interested in redesigning the entire site or eliminating the off-site sale of alcohol.

The Redlands Boulevard Design Charette was an important planning event for the City in that it identified some key design elements, features, and potential land uses that could improve Redlands Boulevard and make it a more attractive and inviting commercial corridor. The results of the Charette will be used to create new design guidelines for the Redlands Boulevard

Corridor, which will assist in the design review of future projects. However, the Sav-on Project was submitted in late June 2002 and should not be made to comply with the design features that were identified during the Charette, several months later. This project is attractively designed and does incorporate some of the design concepts (such as pedestrian accessibility) that were discussed during the Charette.

Environmental Evaluation: The project was reviewed pursuant to the California Environmental Quality Act. The Notice of Intent to Adopt a Negative Declaration was revised, noticed, posted on October 22, 2002. The mandatory 20-day public review period for the revised document began on October 23, 2002 and ends on November 12, 2002. The proposed Initial Study indicates that the project will not result in any significant environmental effects and no mitigation is required. Any impacts of the project are mitigated to below a level of significance by the standard requirements of the City and/or other responsible agencies. To date, no comments on the environmental document have been submitted to the City. A copy of the Initial Study with a detailed analysis of the proposed project is included in Attachment A (of Attachment 1).

Public Comments: The Community Development Department received letters of comment, as follows:

1. Bobby and Jerry Title (September 24, 2002) – in favor of the project.
2. Jeanette (Golly) Gilbert (September 26, 2002, September 27, 2002, and October 3, 2002) – opposed to the project.
3. Beverly Kisinger (September 29, 2002) – opposed to the sale of alcohol.
4. Pricilla and Purefication Gutierrez (September 30, 2002) – opposed to the project.
5. Mary Rosenbaum, Planning Commission (October 3, 2002) – opposed to the project.

Copies of the letters are contained in Attachment 7. The City also received comments from other public agencies prior to the Planning Commission meeting and a discussion of the comments is contained in the Planning Commission Staff Report.

Conclusion: All elements of project are consistent with the existing General Plan and appear to be consistent with the Draft Preferred Land Use Alternative prepared for the City's Comprehensive General Plan Update Project. The project is also in compliance with the East Valley Corridor Specific Plan (EVCSP), Commercial General (EV/CG) zone regulations. The proposed amendment to the EV/CG to allow the sale of alcohol for off-site consumption in buildings having a minimum floor area of 15,000 square feet (rather than a minimum of 30,000 square feet as currently required) would provide a public convenience by providing for the consolidation of a variety of product types and services. The proposed drive-through pharmacy window has been oriented away from Redlands Boulevard and should not impede on-site circulation. The site design and layout (and Parcel Map) provides more than adequate landscaping, parking, linked pedestrian pathways, attractive buildings, and a corner landscape statement that will enhance the property and the surrounding area.

The environmental review of the project indicates that no significant impacts should result from construction and operation of the project site, and as such, a Negative Declaration is in order.

FINANCIAL IMPACT

The project will result in increased property tax and sales tax revenue to the City in addition to Development Impact fees, Plan Check fees, Building Permit fees, Grading Permit fees, and Fire Plan Check/Inspection fees.

ATTACHMENTS

1. Planning Commission Staff Report (October 2, 2002)
 - A. Negative Declaration (NOI/Initial Study)
 - B. Conditions of Approval
 - C. Albertsons/Sav-on Policy Information on the Sale of Alcoholic Beverages (California)
 - D. Project Plans (Not included – see Attachment 4)
2. Approved Planning Commission Minutes (October 2, 2002)
3. Site Vicinity Map
4. Public Works Department Memorandum (November 7, 2002)
5. Lake Development Group Letter (November 5, 2002)
6. Project Plans (Revised)
7. Public Comments Received

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Attachment C

**Revised Conditions of Approval
from November 12, 2002**

**CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT (CUP) NO. 02-04 &
PARCEL MAP (PM) NO. 15944**

All applicable provisions and requirements of City Codes and Ordinances shall be met for this project. All conditions unless otherwise specifies are due prior to the issuance of building permits. (*The revisions of the City Council are shown in italics.*) The following specific requirements shall also apply:

COMMUNITY DEVELOPMENT DEPARTMENT

1. Within two years of development approval, commencement of construction shall have occurred or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of one year, then the permit/approval shall become null and void.

PROJECT:	PM NO. 15944 & CUP NO. 02-04
EXPIRATION DATE:	MARCH 1, 2007

2. The review authority may, upon application being filed 30 days prior to the expiration date and for good cause, grant three time extensions not to exceed 12 months each, pursuant to the California Subdivision Map Act. The review authority shall ensure that the project complies with the Act and all current Development Code provisions.
3. In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, Redevelopment Agency (RDA), their affiliates officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City and RDA of any costs and attorneys' fees which the City or RDA may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
4. Construction shall be in substantial conformance with the Master Plan and the plan(s) approved by the Director, Planning Commission or City Council. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification that exceeds 10% of the following allowable measurable design/site considerations shall require the refilling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:
 - a. On-site circulation and parking, loading and landscaping;
 - b. Placement and/or height of walls, fences and structures;
 - c. Reconfiguration of architectural features, including colors, and/or modification of finished materials that do not alter or compromise the previously approved theme; and,
 - d. A reduction in density or intensity of a development project.
5. No vacant, relocated, altered, repaired or hereafter erected structure shall be occupied or no change of use of land or structure(s) shall be inaugurated, or no new business commenced as authorized by this permit until a Certificate of Occupancy has been issued by the Building and Safety Division. A Temporary Certificate of Occupancy may be issued by the Building and Safety Division subject to the conditions imposed on the use, provided that a deposit is filed with

the Community Development Department prior to the issuance of the Certificate, if necessary. The deposit or security shall guarantee the faithful performance and completion of all terms, conditions and performance standards imposed on the intended use by this permit.

6. This permit or approval is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17 (and other applicable Code sections) in effect at the time of approval, and includes development standards and requirements relating to: dust and dirt control during construction and grading activities; emission control of fumes, vapors, gases and other forms of air pollution; glare control; exterior lighting design and control; noise control; odor control; screening; signs, off-street parking and off-street loading; and, vibration control. Screening and sign regulations compliance are important considerations to the developer because they will delay the issuance of a Certificate of Occupancy until compliance is met. Any exterior structural equipment, or utility transformers, boxes, ducts or meter cabinets shall be architecturally screened by wall or structural element, blending with the building design and include landscaping when on the ground.
7. Signs are not approved as a part of this approval. The applicant shall submit application for a Master Sign Plan for the site based upon the conceptual sign design shown in the approved project plans prior to issuance of the first Certificate of Occupancy. Prior to establishing any new signs, or replacing existing signs, the applicant shall submit an application, and receive approval, for a sign permit(s) from the Planning Division (pursuant to LLMC, Chapter 17.18) and building permit(s) for construction of the signs from the Building and Safety Division, as applicable.
8. The applicant shall comply with all of the Public Works Department requirements for recycling prior to receiving a Certificate of Occupancy.
9. The applicant shall implement SCAQMD Rule 403 and standard construction practices during all operations capable of generation fugitive dust will include but not be limited to the use of best available control measures and reasonably available control measures such as:
 - a. Water active grading areas and staging areas at least twice daily as needed;
 - b. Ensure spray bars on all processing equipment are in good operating condition;
 - c. Apply water or soil stabilizers to form crust on inactive construction areas and unpaved work areas;
 - d. Suspend grading activities when wind gusts exceed 25 mph;
 - e. Sweep public paved roads if visible soil material is carried off-site;
 - f. Enforce on-site speed limits on unpaved surface to 15 mph; and
 - g. Discontinue construction activities during Stage 1 smog episodes.
10. The applicant shall implement SCAQMD Rule 1403 and standard construction practices for the removal and disposal of asbestos building materials as part of the demolition of the residence located at 25669 Sun Avenue.
11. Wherever possible, the developer shall incorporate the existing, mature trees into the landscape plan for the site. The developer shall comply with LLMC, Chapter 17.74 for tree removal Permit

concurrent with project approval, and re-vegetate the site per the approved landscape plan, as applicable.

12. The applicant shall provide two refuse enclosures constructed to the City's specification, subject to approval by the Public Works Department, and placed as shown on the approved site plan.
13. All green waste generated from the site shall be taken to a green waste processing or compost facility.
14. The applicant shall provide a minimum of 113 standard parking spaces, which shall include one handicap accessible van space and 4 standard handicap accessible spaces. The accessible parking required for the project shall be placed and constructed as per the State of California Accessibility Standards, Title 24 California Administrative Code.
15. The property and landscaping shall be maintained in a clean and orderly manner by the applicant, property owner, and/or business operator and all dead and dying plants shall be replaced with similar or equivalent type and size of vegetation.
16. The final landscape plan shall be prepared by a state licensed Landscape Architect, subject to approval by the Community Development Department, and also by the Public Works Department for landscaping in the public right-of-way. The specimen tree sizes shall be increased on the final landscape plan.
17. All roof-mounted equipment shall be screened from view of the Public Street and adjacent residential properties.
18. The applicant shall submit a Lighting Plan to the Public Works Department for approval.
19. All construction shall meet the requirements of the editions of the 1998 California Building Code (CBC)/1997 Uniform Building Code (UBC), and the 1997 Uniform Fire Code (UFC)/1998 California Fire Code (CFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of the Building Permit(s).
20. All Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of any Building and/or Construction Permits.
21. Prior to issuance of any Building and/or Construction Permits, the applicant shall submit proof of payment from the City of San Bernardino for sewer capacity fees and Redlands Unified School District to the Community Development Department.
22. This permit or approval is subject to the attached conditions or requirements of the following City Departments or Divisions:
 - a. Public Work Department
 - b. Public Safety Department

23. The off-site sales of alcohol in the Sav-on Drugs store shall be limited to beer and wine, only.
24. The hours of operation for the Sav-on Drugs shall be limited to 11:00 p.m.
25. The hours of delivery of products, good, furniture, and equipment shall be limited to between 7:00 a.m. and 9:00 p.m., seven days a week.
26. ***The developer shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise plan of design, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits (amended by PC on 03-01-06).***

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TO: COMMUNITY DEVELOPMENT

FROM: DEPARTMENT OF PUBLIC SAFETY
FIRE PREVENTION

SUBJECT: CUP 02-04
SAVON
25680-94 REDLANDS BLVD

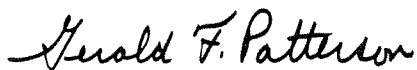
DATE: September 10, 2002

REQUIREMENTS OF DEVELOPER:

All applicable provisions and requirements of City Codes and Ordinances shall be met for this project. The following specific requirements shall also apply :

1. All construction shall meet the requirements of the editions of the *Uniform Building Code* (UBC)/California Building Code (CBC) and the *Uniform Fire Code* (UFC)/California Fire Code (CFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit. [Code Requirement]
2. Pursuant to UBC Section 904.2.2, as amended in Loma Linda Municipal Code (LLMC) Section 15.08.240, the buildings shall be equipped with automatic fire sprinkler systems meeting the requirements of National Fire Protection Association (NFPA) 13. [Code Requirement] Pursuant to UFC Section 1001.3, plans and specifications for the fire sprinkler systems shall be submitted to Fire Prevention for review and approval prior to installation. [Code Requirement]
3. Fire Station and Fire Equipment Development Impact Fees shall be assessed to the project at the rates established for Multi-Family Residential development in the City's Resolution "Establishing A Schedule Of Development Impact Fees To Finance Capital Facilities Necessitated By New Development" legally in effect at the time of issuance of building permit. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by City Manager's Executive Order. [Code Requirement]
4. Addresses will be assigned by this office upon submittal of the approved plot plan.

PREPARED BY:



FIRE PREVENTION INSPECTOR

Attachment D

**Letter dated March 1, 2006
from Ms. P.T. Gutierrez**

3-01-6

To the City of Loma Linda and
Lake Inc.

The following are concerns on
the Lake Development, Extension
Of Time No. 06-01- For
Conditional Use Permit (CUP) No.
02-04/Parcel Map (PM) No.
02-02(PM No.15944);

A. Building in an already
Negative Impact area brings
great concern to me. I am the
owner which is directly across
from the Lake property. I would
like to know what the City and
Lake are going to do about the
following concerns

The noise and dirt from all
the traffic is excessive to say
the least. The exit which is
being proposed on Sun Ave will
impact the neighborhood
considerably. It is already
heavily used by traffic from Mt.

View. It is very hard to exit from Sun Ave. to Mt.View. When deliveries, and other services are made to these business, this too will impact the neighborhood. I feel that Sun Ave should not be used for any new traffic.

The Savon and restaurants which will be built will add more noise and lighting, and crime. Will there be added 24 hour security for the neighborhood?

The Savon if it is a 24 hour business will further hinder the neighborhood's quality of life. The store hours are not clear at this point. Other Savon's are not next to a residential area as this one.

The neighborhood is 90% senior citizens. Many have medical responsibilities. They also don't have a means to move.

This would impact their lives.
It would be an irresponsible
act if the City and Lake did not
consider the neighborhood.

B. Construction- What
precautions will Loma Linda and
Lake take when construction
begins, e.g., traffic control,
watering down dirt, noise
control, etc.?

What inconveniences will the
neighborhood have to endure and
for how long; such as, time for
sewer, water, electrical
connections?

What exactly is the schedule
for this project? Where can I
get a copy of it?

P.T. Gutierrez *per Sylvia J. G. Carlson*
3024 Shadid Drive, Colton, Ca.
92324